

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

**HARLEY ARWOOD and  
JUDY A. ARWOOD,**

**Plaintiffs,**

**vs.**

**CAPITOL INDEMNITY  
CORPORATION,**

**Defendant.**

**Case No. 11-cv-439**

**DEFENDANT’S FED. R. CIV. P. 26(a)(3) PRETRIAL DISCLOSURES**

COMES the Defendant, Capitol Indemnity Corporation (“Capitol”, or “Surety”), by and through its undersigned counsel, and submits its Pretrial Disclosures pursuant to Fed. R. Civ. P. 26(a)(3).

**WITNESSES:**

Capitol Indemnity Corporation:  
Thomas Heger  
Patricia A Framke

Testimony about deed of trust, general indemnity agreement, bonds, contracts, claims, financing, Surety’s payments and loss.

Tennessee Interior Systems, Inc.:  
Harley A Arwood (President former)  
Paul J. Breitnauer (VP/CFO former)  
Virgiline M Schulte (VP/Secretary former)

Testimony about general indemnity agreement, bonds, contracts, claims, financing, Surety payments and loss.

Plaintiffs:

Harley A Arwood  
Judy A. Arwood

Testimony about deed of trust, general indemnity agreement, bonds, contracts, claims, financing, debts, bankruptcy proceedings, payments made/received from Surety.

Tennessee Valley Title Insurance:  
Joseph H. Huie, Esq.

Testimony about the preparation and recordation of the deed of trust.

**EXHIBITS:**

Deed of Trust

Modification Agreement

General Agreement of Indemnity

Payment and Performance Bonds

Title Reports

Capitol's claim file

Capitol's payments

Arwood Bankruptcy pleadings

Respectfully submitted:

/s/ John M. Gillum

John M. Gillum #10230

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Attorneys for Defendant, Capitol Indemnity  
Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been furnished electronically via the ECF system upon:

Keith L. Edmiston  
GRIBBLE CARPENTER & ASSOCIATES, PLLC  
372 S. Washington St.  
Maryville, TN 37804

On this the 11th day of April, 2014.

/s/ John M. Gillum